

REMARKS/ARGUMENTS

35 USC § 112, second paragraph

Claims 1, 4, 6, 8, 10, 12, and 14-15 were rejected under 35 USC § 112, 2nd paragraph as being indefinite on various grounds, and particularly with reference to the inserted sequence position and sequence identifier. The applicant agrees and amended claim 1 accordingly.

As amended herein, claim 1 is concerned with an *enhanced inserted yellow fluorescence protein* in which the amino acid sequence of YGGSGAS enhances fluorescence relative to the same protein without the insert. As the insert is placed between amino acid 145 and 146 of the same protein without insert, the amino acid Y of the insert corresponds to amino acid 146. To further clarify for what protection is being sought, the *enhanced inserted yellow fluorescence protein is identified as SEQ. ID NO: 1*.

With respect to claim 4, the applicant made positional reference to a modification in the SEQ ID NO:1, thus referring to proline in SEQ ID NO:1 as amino acid 199 (which corresponds to the 192nd amino acid of the enhanced inserted yellow fluorescence protein without the inserted amino acid sequence of YGGSGAS). The so obtained *modified enhanced inserted yellow fluorescence protein is identified as SEQ. ID NO: 2*.

REQUEST FOR ALLOWANCE

Claims 1, 4, 6, 8, 10, 12, and 14-15 are pending in this application with claims 2, 5, 7, 9, 11, and 13 being withdrawn. The applicant requests allowance of all pending claims.

Respectfully submitted,

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